

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHRISTIAN J. HENRICH,

Plaintiff,

v.

JOHN W. FIELD, JOSEPH B. ELAD,
FAITH B. ELAD, QUANTUM LEAP
HOLDINGS, INC., and QUANTUM LEAP
INNOVATIONS, INC.,

Defendants.

C. A. No. 06-CV-591 (SLR)

JURY TRIAL OF TWELVE
DEMANDED

JOINT DISCOVERY PLAN PURSUANT TO FED. R. CIV. 26(f)

Pursuant to Fed. R. Civ. P. 26(f), the parties, through their undersigned counsel, hereby submit this proposed Joint Discovery Plan.

I. DISCOVERY

1. **Pre-Discovery Disclosures.** Defendants have produced the information required by Fed. R. Civ. P. 26(a)(1) and D. Del. LR 16.2 on January 19, 2007. Plaintiff's disclosures will have been made by January 19, 2007.

2. **Discovery.**

a. Discovery will be needed on the following subjects: The allegations contained in Plaintiff's Complaint.

b. All discovery shall be commenced in time to be completed by July 31, 2007.

- c. Maximum of 25 interrogatories by each party to any other party.
- d. Maximum of 25 requests for admission by each party to any other party.
- e. Maximum of 10 depositions by plaintiff and 10 by defendants.
- f. Each deposition is limited to a maximum of 8 hours unless extended by agreement of parties.
- g. Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof due by August 31, 2007. Rebuttal expert reports due by October 1, 2007.
- h. **Discovery Disputes.** Any discovery dispute shall be submitted to the court pursuant to Fed. R. Civ. P. 37. During the course of discovery, each party is limited to two (2) Rule 37 motions. The court shall make itself available, however, to resolve through a telephone conference, disputes that arise during the course of a deposition and disputes related to entry of a protective order.

3. **Joinder of other Parties, Amendment of Pleadings, and Class Certification.** All motions to join other parties, amend the pleadings, and certify a class action shall be filed on or before February 28, 2007.

4. **Settlement Conference.** Pursuant to 28 U.S.C. § 636, this matter is referred to Magistrate Judge Thyng for the purposes of exploring ADR.

5. **Summary Judgment Motions.** All summary judgment motions shall be served and filed with an opening brief on or before September 14, 2007. Briefing shall be pursuant to D.

Del. LR 7.1.2. No summary judgment motion may be filed more than ten (10) days from the above date without leave of the court.

6. **Applications by Motion.** Any application to the court shall be by written motion filed with the clerk. Unless otherwise requested by the court, counsel shall not deliver copies of papers or correspondence to chambers. Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1.

7. **Motions in Limine.** All motions in limine shall be filed on or before February 18, 2008. All responses to said motions shall be filed on or before February 25, 2008.

8. **Pretrial Conference.** A pretrial conference will be held on March 3, 2008 at 2:00 p.m. in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. The Federal Rules of Civil Procedure and D. Del. LR 16.4 shall govern the pretrial conference.

9. **Trial.** This matter is scheduled for a week jury trial commencing on March 14, 2008 in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. For purposes of completing pretrial preparations, the parties should plan on being allocated a total number of hours in which to present their respective cases.

Respectfully submitted,

/s/ Alisa E. Moen

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January 19, 2007



The Honorable Sue L. Robinson
844 N King Street
Room 6124
Wilmington, DE 19801

Re: Christian J. Henrich v. John W. Field, et al.
C. A. No. 06-CV-591
Joint Discovery Plan

Dear Judge:

Attached please find a copy of the Joint Discovery Plan per the requirements of the Order For Scheduling Conference to be held on Monday, January 22, 2007, at 8:45 a.m.

Very truly yours,

/s/ Michael P. Kelly
Michael P. Kelly

MPK/fjr
Attachment: Joint Discovery Plan